

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 12-cv-02473
	:	Hon. Matthew F. Kennelly
SIMING YANG, PRESTIGE TRADE INVESTMENTS LIMITED, CAIYIN FAN SHUI CHONG (ERIC) CHANG	:	
	:	
Defendants.	:	
	:	

FINAL JUDGMENT AS TO DEFENDANT SIMING YANG

Plaintiff United States Securities and Exchange Commission ("SEC") having filed a Complaint against Defendant Siming Yang ("Yang" or "Defendant"); the jury having rendered a verdict against Yang and in favor of plaintiff United States Securities and Exchange Commission ("SEC") on liability (ECF No. 244) for Counts 3, 4, and 5 of the SEC's Second Amended Complaint (ECF No. 136); and the parties having briefed the issue of remedies; the Court hereby imposes the following remedies and renders a final judgment as to Yang:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and Defendant's agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service

or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
- (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
- (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

II.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and Defendants' agents, servants, employees, attorneys, assigns, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 13(d) of the Exchange Act (15 U.S.C. § 78m(d)), and Rules 13d-1 (17 C.F.R. § 240.13d-1), and 13d-2 (17 C.F.R. § 240.13d-2) promulgated thereunder by:

- (a) after acquiring directly or indirectly the beneficial ownership of any equity security of a class which is specified in Exchange Act Rule 13d-1(i) (17 C.F.R. § 240.13d-1(i)), and becoming directly or indirectly the beneficial owner of more than five percent of such class;

(b) failing promptly to file or cause to be filed with the Commission the disclosures required by Section 13(d) of the Exchange Act and Rule 13d-1 and 13d-2 thereunder.

III.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and Defendant's agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are permanently restrained and enjoined from violating, directly or indirectly, Section 206(1) and 206(2) of the Investment Advisers Act (the "Advisers Act") [15 U.S.C. § 80b-6(1) and 80b-6(2)] by using any means or instrumentality of interstate commerce, directly or indirectly

(a) to employ any device, scheme, or artifice to defraud any client or prospective client; or

(b) to engage in any transaction, practice, or course of business which operates as a fraud or deceit upon any client or prospective client.

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant shall pay a civil penalty in the amount of \$150,000 to the Securities and Exchange Commission pursuant to 15 U.S.C. § 78u(d)(3) and 15 U.S.C. § 80b-9(e). Defendant shall make this payment within 14 days after entry of this Final Judgment.

Defendant may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be

made directly from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to

Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard
Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; Siming Yang as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

Defendant shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Defendant relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Defendant. The Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury. Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28 USC § 1961.

V.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

Dated: May 27, 2014


MATTHEW F. KENNELLY
UNITED STATES DISTRICT JUDGE